

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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**In re C.H. Robinson Worldwide, Inc.,  
  
Overtime Pay Litigation**

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**CASE NO. 07-MD-01849  
(JNE)**

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**JOINT MOTION TO APPROVE THE SETTLEMENTS OF FLSA CLAIMS AND  
LAWSUITS OF CERTAIN FEMALE PLAINTIFFS**

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Plaintiffs and Defendant C. H. Robinson Worldwide, Inc. (“Defendant” or “CHRW”) (collectively, the “Parties”) hereby jointly request that the Court approve the settlements of Plaintiffs Claudette Manning Jackson’s, Mariam Maskharashvili’s, Donna Eddy’s (f/k/a Donna Doss), and Janet Hays’ (collectively the “Four Female Plaintiffs”) claims and dismiss such claims, along with the Four Female Plaintiffs’ lawsuits, with prejudice. Parties state as follows in support of their motion:

1. On or about November 28, 2006, the Four Female Plaintiffs filed complaints in the United States District Court for the Northern District of Illinois, alleging in part that they were improperly classified as exempt under the Fair Labor Standards Act (“FLSA”) and worked hours for which they were not properly paid.
2. CHRW denies all allegations of wrongdoing.
3. There are approximately 525 plaintiffs in 102 FLSA lawsuits against CHRW. The Four Female Plaintiffs are among these plaintiffs.



4. Pursuant to motions to transfer filed by CHRW, judges in the Northern District of Illinois transferred most of these cases to approximately forty-five different federal districts across the country.

5. Plaintiff Claudette Manning Jackson's action, Case No. 06-6461, remained in the Northern District of Illinois.

6. Plaintiff Mariam Maskharashvili's action, Case No. 06- 6507, remained in the Northern District of Illinois.

7. Plaintiff Janet Hays' action was filed in the Northern District of Illinois, Case No. 06-6669. On February 7, 2007, the court issued an order transferring her case to the Central District of California, Case No. 8:07-cv-00301.

8. Plaintiff Donna Eddy's action was filed in the Northern District of Illinois, Case No. 06-6551. On December 4, 2006, the court transferred her case, *sua sponte*, to the Northern District of Alabama, Case No. 06-4926.

9. By August 2007, CHRW reached final settlements with the Four Female Plaintiffs who are represented by the law firm of Sprenger & Lang, PLLC. By August 28, 2007, all Four Female Plaintiffs executed their individual settlement agreements. These settlements were reached in full compliance with Rule 1.8 of the Minnesota Rules of Professional Conduct. *See* Thompson Declaration at ¶¶ 10, 11 and 12 attached hereto as Exhibit A. Copies of the Four Female Plaintiffs' settlement agreements are attached to Thompson Declaration as Exhibits 1 through 4.

10. Parties thus agree that, subject to Court approval, these disputes have been settled.



11. On July 12, 2007, the Judicial Panel on Multidistrict Litigation (“JPML”) ordered that the 102 FLSA lawsuits against Defendant be consolidated in this Court for purposes of approving the Parties’ settlements. A copy of the JPML’s order is attached hereto as Exhibit B.

12. The Parties now seek Court approval of these settlements because this case includes claims under the FLSA.

13. Under the great weight of authority, claims under FLSA may not be waived by purely private agreement. A valid waiver may be accomplished, however, by court approval of the settlement, especially with a finding that a settlement is fair, reasonable, and adequate. *E.g. Schulte v. Gangi*, 328 U.S. 108 (1946); *Walton v. United Consumers Club*, 786 F.2d 303, 306 (7th Cir. 1986); *Lynn’s Food Stores, Inc. v. United States*, 679 F.2d 1350, 1353 (11th Cir. 1983); *Brask v. Heartland Automotive Services, Inc.*, No. 06-11 (RHK/AJB), 2006 WL 2524212 at \*1-2 (D. Minn. Aug. 15, 2006). The Parties agree that their settlement agreements are fair, reasonable, and adequate. *See* Thompson Declaration at ¶ 14. Accordingly, the Parties request that the Court approve the agreements of the Four Female Plaintiffs and find them to be fair, reasonable, and adequate.



WHEREFORE, the Parties request that the Court approve the individual settlement agreements of the Four Female Plaintiffs, and dismiss with their claims with prejudice, with the Defendant and the Four Female Plaintiffs to bear their own attorney's fees and costs except as agreed upon by the Parties.

Respectfully submitted,

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